

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 15, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEXIS JOEL GARCIA PALOMINO
(4); AND
MARCIAL BRAVO ZAMBRANO (20)
Defendant.

No. 4:15-CR-06049-EFS

**ORDER REGARDING SPEEDY
TRIAL ISSUE AND SETTING OF
CHANGE OF PLEA HEARING**

The Court is in receipt of a signed plea agreement from Defendant Marcial Bravo Zambrano. Defendant Zambrano's counsel, Zachary Ayers, has informed the Court that Defendant wishes to schedule a change of plea hearing this week. The Court initially set a change of plea hearing this week, on January 16, 2019. However, previously, the Court instructed Defendants Marcial Zambrano and Alexis Joel Garcia Palomino to file briefing by January 22, 2019 regarding whether a speedy trial issue exists in their case. *See* ECF No. 1095. The Court instructs the Clerk's Office to reset the change of plea hearing for a date after the Court has addressed this pending issue.

The Court believes that during the pre-trial conference on May 29, 2018, it sua sponte continued Defendants Alexis Joel Palomino and Marcial Zambrano's

1 cases in the interest of justice under 18 U.S.C. § 3161(h)(7)(A) & (B), which were
2 then joined for trial in October 2018 with the other co-defendants. *See* ECF 798. The
3 Court again instructs the parties to provide briefing as to the speedy trial issue by
4 no later than January 22, 2019. The Court specifically instructs the parties to include
5 their position as the Court's stance that it sua sponte continued the case in the
6 interest of justice under § 3161(h)(7)(A) & (B).

7 **IT IS HEREBY ORDERED:**

- 8 **1. The Clerk's Office shall RESET the Change of Plea Hearing for a date**
9 **in February 2019.**
- 10 **2. The Government and defense counsel for Defendants Palomino and**
11 **Marcial Zambrano shall file briefing by no later than January 22,**
12 **2019 regarding whether a speedy trial exists, and as to the Court's**
13 **position that it sua sponte continued defendants' case § 3161(h)(7)(A) &**
14 **(B).**

15 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
16 provide copies to counsel.

17 **DATED** this 15th day of January 2019.

18
19 s/Edward F. Shea
EDWARD F. SHEA
20 Senior United States District Judge
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